

**CITY OF LEWISTON**  
**PLANNING BOARD MEETING**  
**MINUTES for September 26, 2005 - Page 1 of 7**

**I. ROLL CALL:** This meeting was held in the City Council Chambers on the First Floor of City Hall, was called to order at 7:00 p.m., and was chaired by Jeffrey Gosselin.

- **Members in Attendance:** Jeffrey Gosselin, Stephen Morgan, Jim Horn, John Racine, Tom Truchon, and Jonathan Earle.

S **Members Absent:** Roger Lachapelle.

S **Associate Member Present:** Tom Peters.

S **Staff Present:** Gregory Mitchell, Assistant City Administrator; Gil Arsenault, Director of Planning & Code Enforcement; David Hediger, City Planner; and Eric Cousens, Land Use Inspection Officer.

**II. ADJUSTMENTS TO THE AGENDA:** None.

**III. CORRESPONDENCE:** Staff Memorandum from David Hediger, City Planner dated September 22, 2005 and correspondence distributed at the meeting, which included: 1. Comments from Richard C. Burnhan, P.E., City Engineer from the Department of Public Services regarding 9 & 14 Foss Road Vineyard Church dated 09/21/2005, 2. Planning Board Project Development Review Form from David Chick, Lewiston Police Department dated 09/19/2005, and 3. Comments from Richard C. Burnham, P.E., City Engineer from the Department of Public Services regarding 192 Russell Street – United Ambulance Service dated 09/22/2005. The following motion was made.

**MOTION:** by **Tom Peters**, seconded by **Stephen Morgan** that the Planning Board accept the above items, place them on record, and read them at the appropriate time.

**VOTED:** 6-0 (Passed).

*Jim Horn arrived at 7:02 p.m.*

**IV. HEARINGS:**

**A. A proposal to convert the existing structure (Vineyard Church) at 14 Foss Road into a 1,000-seat function facility and to construct additional parking at 9 and 14 Foss Road to be used by Vineyard Church.** David Hediger summarized this portion of his Staff Memorandum dated September 22, 2005.

This application has been submitted to convert the existing structure at 14 Foss Road into a 1,000-seat function facility and to construct additional parking at 9 and 14 Foss Road to be used by the Vineyard Church and other community events. Both of these properties are located in the Highway Business (HB) District. An additional 108 parking spaces are being proposed for 9 Foss Road. The current use of the property at 14 Foss Road is for warehousing and light industrial uses with 39 parking spaces. Both these properties are being reviewed due to the fact that they have a common theme of development, they are adjacent to each other and being used by the Vineyard Church. Both of these sites, combined, total 14 acres, therefore this project is to be reviewed by the Board's delegated reviewing authority from the DEP for projects exceeding three (3) acres of non-vegetated area.

**Steve Roberge**, from SJR Engineering, representing the applicant, and **Allan Austin**, from the Vineyard Church were present. Jeff Gosselin asked for an explanation of Phases 1 & 2. Steve Roberge explained the Site Plan and phasing. Steve Roberge agrees with Staff's conditions, which are listed in the Staff Memorandum dated 09/22/2005. The facility will be used for Church facility services and other public functions. Allan Austin explained the use of the existing building for the school and offices of the Church.

Jeffrey Gosselin opened this item to the public for those in support. There were none. This item was then opened to the public for those in opposition or for general comments. There were none, therefore, this item was then brought back to the Board for the following discussion.

Tom Peters asked about the center-turning lane. David Hediger explained that the center lane should happen with the Nino project (1930 Lisbon Street), but for the Traffic Movement Permit, it will also be required for this project, because the Nino project may never happen.

Jeffrey Gosselin asked about the water quality standards. Steve Roberge explained that the Public Services Department is satisfied that the 80 percent threshold for the TSS standard removal has been met.

Tom Peters then asked about the modification/waiver checklist. David Hediger went through the list with the Board. It was filled out appropriately.

Jeffrey Gosselin asked about the MDOT Traffic Movement Permit process. The DOT will review, due to the proximity to the Lisbon town line. Turning lanes on Foss Road will only require striping changes.

The following motion was made.

**MOTION:** *by Steve Morgan, seconded by Jim Horn that the Planning Board determines the application for the Vineyard Church (to convert the existing structure at 14 Foss Road into a 1,000-seat function facility and to construct additional parking at 9 and 14 Foss Road to be used by Vineyard Church to be complete; grants approval of the modification/waiver checklist; that this application meets all of the necessary approval criteria contained under Article XIII, Section 4 of the Zoning and Land Use Code; and grants approval to the Vineyard Church., subject to the following conditions:*

- 1. That a traffic movement permit be issued by the Maine DOT.*
- 2. That no Certificate Of Occupancy be issued until any of the necessary road improvements required by the traffic movement permit have been completed.*
- 3. That no construction activity occurs until DEP has signed off on the Wetlands Alteration Permit and the City's delegated review of the project.*
- 4. The construction detail for the stormwater control structure at 9 Foss Road is provided.*
- 5. The Site Plan reflect the phasing of the parking lot improvements with a note limiting the occupancy of 14 Foss Road to 600 seats until Phase 2 parking is completed.*
- 6. Any proposed lighting is shown on the plan.*
- 7. A note be added to the Site Plan referencing the 25' shoreland zoning setback allowed in the HB District in accordance with Article XII, Section 2(t)(1) of the Zoning and Land Use Code.*
- 8. A note be added to the plan indicating that approval of the development shall expire after a period of 24 months if substantial development has not begun and that extensions of approval may be requested at least 60 days prior to the time of expiration.*

**VOTED:** 7-0 (Passed).

**B. A proposal to demolish the existing school and construct a new, 50,000 SF school (Farwell Elementary School) at 84 Farwell Street.** David Hediger summarized this portion of his Staff Memorandum dated September 22, 2005.

This application was submitted by Pinkham & Greer on behalf of the City of Lewiston School Department. This proposal is to demolish the existing school and to construct a new, 50,000 SF school. This property is located in the Neighborhood Conservation ("A") (NCA) District. Currently, the Farwell Elementary School, which is 25,000 SF, occupies this site.

**Tom Greer**, from Pinkham & Greer, was present and gave an overview of the project. He explained the Site Plan and model school. This will improve traffic movement so that drop-off and pick-up is on-site. The access around the building has been changed to 20 feet to accommodate the Fire Department's request. Gate access will be from the rear and will have a Knox Box for Fire Department access, and to prevent through traffic. These gates will allow pedestrian access. Fencing will surround the site and limit access to the front and rear of the site. Landscaping was also explained. Stormwater and sewerage flows was discussed to the Public Services Department's satisfaction.

Jeffrey Gosselin asked about the fencing. The new fencing will be four feet (4') high. Some will be replaced, others will remain in place.

John Racine asked how the 50 foot setback compares to the existing setback. Tom Greer explained that the current setback is very close to the same. They are also working to save as many trees for shade as possible.

Tom Truchon asked about the Farwell Street drop-off. Tom Greer explained that a flyer will explain the new drop-off area and will be included with student report cards. Signage and crossing guards will address any issues that arise, if necessary.

This item was then opened to the public for those in support. There were none. This item was then opened to those in opposition or for general comments. There were none, therefore, this item was brought back to the Board.

Jeffrey Gosselin stated that this is a great project and it is well-designed.

Tom Peters disclosed that he has worked with the School Committee for some time on this project and will abstain from voting on this item.

Jeffrey Gosselin asked about the time-frame for construction. Tom Greer responded that construction will start in March 2006 with an occupancy date of September 2007.

**Paul Caron**, Director of School Services, is working with the Church to relocate the students temporarily.

The following motion was made.

**MOTION:** *by Jeffrey Gosselin, seconded by Stephen Morgan that the Planning Board determines the application for the Farwell Elementary School (to demolish the existing school and construct a new, 50,000 SF school) at 84 Farwell Street to be complete; grants approval of the modification/waiver checklist; that this application meets all of the necessary approval criteria contained under Article X, Section 3 and Article XIII, Section 4 of the Zoning and Land Use Code; and grants approval to the City of Lewiston School Department., subject to the following conditions:*

- 1. A revised Stormwater Plan is submitted to the satisfaction of the Public Services Department, prior to any construction activity occurring.*
- 2. That the plan reflects the location of any easements being provided to the City for purposes of future stormwater/sewer improvements.*
- 3. That the note on the Site Plan reflect the NCA impervious ratio of 30% versus the noted 50%.*
- 4. That the applicant speak to abutting properties to determine whether additional buffering may be required and have that reflected on the Site Plan.*
- 5. That the plan be amended to the satisfaction of Fire and Police for purposes of providing adequate access onto and around the property.*
- 6. The construction detail for the proposed sign should either be amended to City standards or removed from the plan.*
- 7. That a Conditional Use Permit for the municipal building/school be granted for A period of 2 years to coincide with the development review expiration of 2 years.*

8. *A note be added to the plan indicating that approval of the development shall expire after a period of 24 months if substantial development has not begun and that extensions of approval may be requested at least 60 days prior to the time of expiration.*

**VOTED:** 6-0-1 (Passed – Tom Peters abstained, due to his involvement with the School Committee).

C. ***A proposal to create a seven (7) lot subdivision located at 669 Old Greene Road.*** David Hediger summarized this portion of his Staff Memorandum dated September 22, 2005.

This application was submitted by Roger Richard on behalf of Gregory & Jane McMorrow. This application was previously tabled at the July 18, 2005 Planning Board Meeting so that a revision could be made. This application now reflects a seven- (7-) lot subdivision, instead of eight (8), which previously listed the existing lot at 52 No Name Pond Road. All the abutters within 300 feet were re-notified of this public hearing.

**Roger Richard** explained the project and the 8.6 acres of open space proposed to be accessed from the snowmobile trail. The open space must be Deeded to an association of lot owners to meet the cluster requirements. Tom Peters explained the benefits of associations. Roger Richards will work with Staff towards this end.

This item was then opened to the public for those in favor of this project. The abutting property owner from across the street asked what can be built? Roger Richards explained the covenants. This abutting property owner is in favor of this development.

**David Footer**, a property owner on Old Greene Road, also supports this development.

**Carrie Burton**, 668 Old Green Road had questions on the development as to how do the covenants rule out mobile homes. Roger Richard said he would like to add a covenant that mobile homes are not allowed on the lots to the Deed. The question was then asked, if traffic will be routed on Old Greene Road. Roger Richard said that some will be from No Name Pond Road. Carrie Burton noted that the road is not well-maintained. The City road is maintained, as well as it can be and that, maybe, new homes will encourage improvements to the road.

This item was then closed to the public and brought back to the Board.

Jeffrey Gosselin asked if Roger Richard and **Gregory McMorrow** would like to add the covenant that no mobile homes can be placed on the lot. Tom Peters and Stephen Morgan explained the open space.

The following motion was made.

**MOTION:** *by Tom Peters, seconded by Tom Truchon that the Planning Board determines the application for the J.J. McM Acres Subdivision (a seven-lot, residential subdivision) at 669 Old Greene to be complete; grants approval of the modification/waiver checklist; that this application meets all of the necessary approval criteria contained under Article XIII, Sections 4, 5, and 7 of the Zoning and Land Use Code; and grants approval to Roger Richards and Gregory & Jane McMorrow, subject to the following conditions:*

1. *That a note be added to the plan indicating that the lots meet the cluster standards contained in Article XIII, Section 7 of the Zoning and Land Use Code, allowing for reductions in net lot area and frontage.*
2. *That a note on the plan be added indicating that a homeowners association for purposes of maintaining the open space is required with mandatory membership of each lot owner, and that reference to such association be referenced in each properties Deed.*
3. *A note be added to the plan indicating that approval of the development shall expire after a period of 24 months if substantial development has not begun and that extensions of approval may be requested at least 60 days prior to the time of expiration.*

4. *That Note #7 on the SitePlan is amended to read “. . .the specification required by Lewiston Fire Prevention for a single family dwelling”.*
5. *That no mobile homes be allowed on the lots – stick-built homes only will be allowed.*

**VOTED:** 7-0 (Passed).

*Jeffrey Gosselin recused himself as Chair, due to a conflict, and appointed John Racine to chair the following item only.*

**D.** *A proposal for removal of the existing house and garage located at 338 East Avenue to allow for a new entrance to United Ambulance Service at 192 Russell Street.* The reading of the Staff Memorandum dated September 22, 2005 was waived.

This application was submitted by Bill Hamilton, from Joy & Hamilton Architects on behalf of the United Ambulance Service. The proposal is for the removal of the existing house and garage located at 338 East Avenue and to allow for a new entrance to the United Ambulance Service at 192 Russell Street. This property was recently rezoned from the Neighborhood Conservation “A” (NCA) to the Office Residential (OR) District, therefore, this project is being reviewed as an amendment to the original Site Plan previously approved by this Board.

**Bill Hamilton**, from Joy & Hamilton Architects, was present and explained the proposal and traffic improvements. The State Standards are met to satisfy the DOT entrance/exit requirements. Drainage is improved and runoff is reduced. Tom Peters asked if the driving school will be torn down. Bill Hamilton explained that the driving school will not be impacted. The next property will be demolished.

This item was then opened to the public for those in favor.

**Denise Ouellette**, 342 East Avenue, said that she is working with Provencher Landscaping on the buffer. She asked about lighting. Bill Hamilton explained that the focused lighting is to illuminate the drive only.

**Claudette Caron**, owner of Roy’s Driving Academy, asked where the proposed drive will be. The response was that it will be in the existing location, but will be wider. She then asked about traffic. **Paul Gosselin**, from United Ambulance Service, explained that the traffic will be limited to wheelchair service and for 20-25 employees. Claudette Caron was in favor of this project.

This item was then opened to the public for those in opposition or for general comments. There being none, this item was then closed to the public and brought back to this Board for the following motion.

**MOTION:** *by Tom Peters, seconded by Jim Horn that the Planning Board determines the application for the United Ambulance Service (for the removal of the existing house and garage located at 338 East Avenue to allow for a new entrance) at 192 Russell Street to be complete; grants approval of the modification/waiver checklist; that this application meets all of the necessary approval criteria contained under Article XIII, Section 4 of the Zoning and Land Use Code; and grants approval to United Ambulance Service, subject to the following condition:*

1. *That a buffer be considered along the driving school and petitioner and for the school owner to come to an agreement.*

**VOTED:** 6-0 (Passed).

**V. OTHER BUSINESS:**

**A.** *A proposed rezoning for Exit 80 retail.* David Hediger summarized this portion of his Staff Memorandum dated September 22, 2005.

Requests have been made to the City from the South Park Development Corporation and MRE, LLC to rezone Lots A, B,C, and D on Challenger Drive from the Industrial (I) District to the Urban Enterprise (UE) District. Staff feels that it is appropriate to rezone all of the properties in this area to the UE District and to also include Lots F and G and Lot Nos. 5, 6, 13A, 13B, 14, and 15 of the South Park Subdivision. Staff is in support of the larger rezoning. There have been obvious shifts in the economy since the South Park Subdivision was first approved as a business park in the early 1980's. Big box retailers are looking for large lots with easy access available from major transportation corridors. This area of Lewiston contains large vacant lots that will attract this kind of retail development. Due to the 2002 rezoning for the Wal-Mart Distribution Center and the Gendron Business Park, significant improvements have been made to attract retail, service, and industrial uses to the Exit 80 area. Water and sewer lines have been upgraded and electrical capacity has been increased. Staff is in favor of this rezoning to allow for continued growth of the industrial and business office uses and to address today's economic market of providing additional large tracts of land for retail uses.

**Gregory Mitchell**, Assistant City Administrator, explained the request. He stated that the South Park Board will be voting on the rezoning, prior to bringing this back to this Board.

In closing, the request is to have this Board direct Staff to initiate a zoning amendment of all the properties located within the boundary from the Industrial (I) District to the Urban Enterprise (UE) District to allow for retail and service uses, in addition to industrial uses.

The following motion was made.

**MOTION:** *by **Stephen Morgan**, seconded by **Jim Horn** that the Planning Board directs Staff to initiate a zoning amendment of said properties located within the following boundary from the Industrial (I) District to the Urban Enterprise (UE) District to allow retail and service uses, in addition to industrial uses: beginning at the southerly intersection of the Maine Turnpike/Exit 80 and Alfred A. Plourde Parkway, then south along Alfred A. Plourde Parkway to the intersection of Goddard Road, then west along Goddard Road to the Maine Turnpike bridge, then north along the Maine Turnpike to the point of beginning.*

**VOTED:** 7-0 (Passed)

**B. A discussion regarding traffic impact fee on outer Lisbon Street.** David Hediger presented this item and explained the Draft Traffic Impact Fee ordinance for Outer Lisbon Street that was prepared by Staff. There was no motion required for this item. This item was brought to this Board for a discussion and input from the Board.

**C. Any other business Planning Board Members may have relating to the duties of the City of Lewiston Planning Board.** None.

**VI. READING OF THE MINUTES: *Reading of the Draft Minutes for June 27, 2005, July 18, 2005, August 8, 2005, and September 12, 2005 Planning Board Meetings.***

The following motion was made:

**MOTION:** *by **John Racine**, seconded by **Tom Truchon** that the Planning Board accept the Planning Board Meeting Minutes for June 27, 2005 and July 18, 2005, as submitted.*

**VOTED:** 7-0 (Passed).

The Planning Board Meeting Minutes for August 8, 2005 and September 12, 2005 were not prepared or available at this meeting. They will be included on the agenda for the next regularly scheduled Planning Board Meeting.

**VII. ADJOURNMENT:**

The following motion was made to adjourn this meeting.

**MOTION:** by ***John Racine***, seconded by ***Tom Truchon*** to adjourn this meeting.

**VOTED:** 7-0 (*Passed*).

The next regularly scheduled Planning Board Meeting is for Monday, October 3, 2005.

Respectfully submitted,

Stephen Morgan,  
Planning Board Member & Secretary

EC:dmc

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